

FILED

at Santa Fe NM

OCT 28 2002

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM  
Rutheron & Plaza Blanca, Section 7

J. M. MARCH, Clerk  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

WAIVER OF SERVICE OF SUMMONS

To: Edward G. Newville  
State Engineer Office  
P.O. Box 25102  
Santa Fe, NM 87504-5102

I acknowledge receipt of your request that I waive service of a summons in the action of State of New Mexico *ex rel.* State Engineer v. Aragon, which is case number 69cv07941 JEC-ACE in the United States District Court for the District of New Mexico. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.


I (or the entity on whose behalf I am acting) will retain all defenses or objections to the adjudication suit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that the time allowed within which I must answer the complaint was extended pursuant to the interim procedural order entered by the court on November 26, 2001, and that I am not obligated to file an answer until after the entry of a new procedural order that establishes a deadline for rejecting the terms of the State's proposed Consent Order.

  
Signature HECTOR M. MAGALLANES

2015 Morning Glory Ln.  
Address

Las Cruces, NM 88007

  
Printed or typed name

25 Sept 02  
Date

RECEIVED

OCT 03 2002

OFFICE OF THE STATE ENGINEER  
LEGAL SERVICES DIVISION

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